

REMARKS

Applicant respectfully requests reconsideration of this application, as amended herein. Claims 6-10 were pending in the application. In this amendment, Claims 6 and 9 have been amended; and new Claim 11 has been added. Therefore, Claims 6-11 are pending in the application.

The Rejections under 35 U.S.C. § 102

The Examiner rejected Claims 6-8 under 35 U.S.C. 102(b) as being anticipated by Bain et al. (U.S. PGPub 20010034768). Applicant respectfully traverses the rejection.

The priority date of the Bain et al. reference is less than six months before the priority date of the instant application. Applicants actually conceived of the invention well before the effective date of the Bain et al. reference and submit herewith a declaration under 37 C.F.R. §1.131 to antedate the reference. As described in the accompanying declaration, the invention claimed in the instant application was conceived before the reference date of the Bain et al. reference and diligently reduced to practice. Accordingly, Bain et al. does not qualify as a valid reference under any section of 35 U.S.C. 102. Applicants respectfully request that the Bain et al. reference be disqualified.

Furthermore, Bain et al. teaches a system for communication from motorist to motorist. The present invention requires that the system enables communication, not only from motorist to motorist, but from institutions, such as the Department of Motor Vehicles, to the person/motorist associated with the vehicle registration. In fact, the repository is such that the motorist need not be in the vehicle. For example, the repository sets up an electronic address that coordinates with the license plate registration number, but may be accessed by email, instant messaging, and the like. Nothing in Bain et al. discloses or suggests those features. As Bain et al. does not disclose

all the limitations of independent claim 6, it is patentably distinguished.

Claims 7 and 8 depend from Claim 6 and incorporate the same limitations as Claim 6, which, as described above, is patentably distinguished. Thus, Claims 7 and 8 are, likewise, patentably distinguished.

The Rejections under 35 U.S.C. § 103

The Examiner has rejected Claims 9 and 10 under 35 U.S.C. 103(a) as being unpatentable over Bain et al. (U.S. PGPub 20010034768) in view of Himmelstein (U.S. PGPub 20040162064). Applicant respectfully traverses the rejections.

Since, as described above, the Bain et al. reference should be disqualified; there is no teaching to modify as described by the Himmelstein publication. Furthermore, as described above, Bain et al. does not describe a system that enables communication, not only from motorist to motorist, but from institutions, such as the Department of Motor Vehicles, to the person/motorist associated with the vehicle registration. The Examiner combines Bain et al. with Himmelstein merely for its disclosure of a cellular phone. Nevertheless, neither Bain et al. nor Himmelstein, separately or in combination, disclose all the elements of independent claim 9, accordingly, they are patentably distinguished.

Claim 10 depends from Claim 9 and incorporates the same limitations as Claim 9, which, as described above, is patentably distinguished. Thus, Claim 10 is, likewise, patentably distinguished.

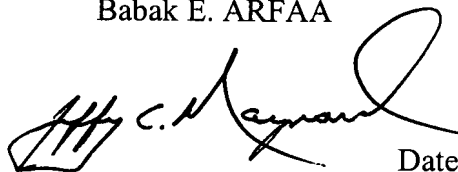
New Claim 11

Claim 11 depends from Claim 6 and incorporates the same limitations as Claim 6, which, as described above, is patentably distinguished. Thus, Claim 11 is, likewise, patentably distinguished.

CONCLUSION

Applicant has made a diligent effort to address the objections and rejections identified by the Examiner, and respectfully submits that the outstanding objections and rejections in the Office Action have been overcome. In view of the above amendments and remarks, all pending claims are believed to be patentable, and thus, the case is in condition for allowance. Accordingly, a Notice of Allowability is respectfully requested at the Examiner's earliest convenience. In the event that there is any question concerning this response, or the application in general, Applicant respectfully requests that the Examiner contact Applicant's attorney at the telephone number listed below so that additional changes may be discussed.

Respectfully submitted,
Babak E. ARFAA

 2/14/07
Date _____

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